



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

David B. Raczkowski
Townsend and Townsend and Crew LLP
Two Embarcadero Center, Eight Floor
San Francisco, CA 94111-3834

MAILED

DEC 21 2007

TECHNOLOGY CENTER 2100

In re Application of:
Gregg Baeckler et al
Appl. No.: 10/718,968
Filed: November 21, 2003
For: Logic Cell Supporting Addition of Three Binary Words

DECISION ON PETITION
UNDER 37 CFR § 1.59

This is a decision on petitions under 37 CFR § 1.59(b), filed on 02 July 2007, to expunge information submitted pursuant to MPEP § 724.05.

The petitions are **DISMISSED**.

Petitioner requests that the information submitted on 02 July 2007 be expunged from the record if found not to be important to a reasonable examiner in deciding whether to allow the application to issue as a patent. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

The petition is premature because the application has not been allowed or abandoned. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is "material," with "materiality" being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the petition to expunge must be dismissed at this time.

During prosecution on the merits, the examiner will determine whether or not the information submitted on 02 July 2007 considered to be "material." Once prosecution on the merits is closed, applicant may re-submit petitions to expunge the information. No further fee is required for such a second submission of a petition under 37 CFR § 1.59 to expunge information. If the information is not considered by the examiner to be material, the information will be expunged from the application and may be returned to applicant.

The identified documents are currently not available for public view.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3591

/Gail Hayes/

Gail Hayes, SPRE/QAS
Technology Center 2100
Computer Architecture, Software, and
Information Security